

Effective 5/12/2015

10-2a-204 Processing a request for incorporation -- Certification or rejection by lieutenant governor -- Processing priority -- Limitations -- Planning advisory area planning commission recommendation.

- (1) Within 45 days of the filing of a request under Section 10-2a-202, the lieutenant governor shall:
 - (a) with the assistance of other county officers of the county in which the incorporation is proposed from whom the lieutenant governor requests assistance, determine whether the request complies with Section 10-2a-202; and
 - (b)
 - (i) if the lieutenant governor determines that the request complies with Section 10-2a-202:
 - (A) certify the request; and
 - (B) mail or deliver written notification of the certification to the contact sponsor; or
 - (ii) if the lieutenant governor determines that the request fails to comply with Section 10-2a-202 requirements, reject the request and notify the contact sponsor in writing of the rejection and the reasons for the rejection.
- (2) The lieutenant governor shall certify or reject requests under Subsection (1) in the order in which they are filed.
- (3)
 - (a)
 - (i) If the lieutenant governor rejects a request under Subsection (1)(b)(ii), the request may be amended to correct the deficiencies for which it was rejected and then refiled with the lieutenant governor.
 - (ii) A signature on a request under Section 10-2a-202 may be used toward fulfilling the signature requirement of Subsection 10-2a-202(2)(a) for the request as modified under Subsection (3)(a)(i).
 - (b) If a request is amended and refiled under Subsection (3)(a) after having been rejected by the lieutenant governor under Subsection (1)(b)(ii), it shall be considered as a newly filed request, and its processing priority is determined by the date on which it is refiled.

Amended by Chapter 157, 2015 General Session

Renumbered and Amended by Chapter 352, 2015 General Session